



NEW YORK  
REGIONAL OFFICE

UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
100 PEARL STREET, SUITE 20-100  
NEW YORK, NY 10004-2616

**VIA ECF**

August 28, 2024

The Honorable Andrew L. Carter, Jr.  
United States District Judge  
United States District Court  
40 Foley Square  
New York, New York 10007

Re: SEC v. Silvergate Capital Corporation, et al., No. 24 Civ. 4987 (ALC) (S.D.N.Y.)

Dear Judge Carter:

Pursuant to Rule 1(D) of the Court's Individual Practices, Plaintiff Securities and Exchange Commission ("SEC") respectfully requests that the Court extend by four (4) business days, to September 6, 2024, the current deadline by which the SEC must respond to Defendant Martino's letter dated August 27, 2024, requesting leave to file a motion to dismiss the Complaint, pursuant to Fed. R. Civ. P. 12(b)(6) (ECF No. 35). Defendant Martino consents to this request.

The SEC's current deadline to file its response to Defendant's letter is August 30, 2024, pursuant to Rule 2(A) of the Court's Individual Practices. Good cause exists to grant the SEC's request given the upcoming holiday weekend, counsel's pre-existing commitments, and the time needed to thoughtfully consider and respond to the August 27 letter's multiple arguments concerning over 40 paragraphs of the SEC's Complaint. In addition, the SEC has not previously requested an extension of time, and the requested extension would not affect any pending deadlines, which are presently stayed pursuant to Rule 2(A) of the Court's Individual Practices.

Accordingly, the SEC respectfully requests that the Court grant the requested extension and reset the deadline for the SEC to file its response to Defendant's August 27 letter until September 6, 2024.

Respectfully submitted,

/s/ Hayden M. Brockett  
Hayden M. Brockett  
Trial Counsel  
Counsel for Plaintiff SEC